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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/697,992	10/27/2000	Oleg S. Pinykh	6451.064	7099

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EXAMINER

NGUYEN, KIMBINH T

ART UNIT PAPER NUMBER

2671

DATE MAILED: 03/16/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/697,992

**Applicant(s)**

PIANYKH ET AL.

**Examiner**

Kimbinh T. Nguyen

**Art Unit**

2671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 14-18 and 20-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 14-18 and 20-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to amendment filed 01/09/04.
2. Claims 14-18 and 20-22 are pending in the application.
3. The amendment filed 01/09/04 amends an incorporation-by-reference on the compact disc(s) in the specification.

### ***Claim Objections***

4. Claim 1 is objected to because of the following informalities: typing errors: line 1, replacing "a disc lay screen" by --a display screen--. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

6. Claims 14 and 15 are rejected under 35 U.S.C. 102(a) as being anticipated by Chui et al. (6,407,747).

**Claim 14**, Chui et al. discloses a computer processor (CPU 102), a memory 104, a display screen 107 (fig. 1), a magnified image within a magnified window 152 (fig. 1) comprising: storing the image in the memory (image data stored in a screen buffer; col. 2, lines 6-7); storing a first window position in the memory (magnification window is

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copied to a first buffer; col. 2, line 12); reading a second window position, which overlaps the first window position (the new magnification window overlaps the previous magnification window; col. 5, lines 40-41); determining a portion of the first window position is not covered by the new window position (the new magnification window does not overlap the previous magnification window; col. 5, line 66 through col. 6, line 1); restoring from memory that portion of the image which corresponds to the portion of the first window not covered by the second window (restores the unmagnified image (not covered) in the previous magnification window; col. 6, lines 4-8).

**Claim 15**, Chui et al. discloses filling the first and second window positions with a magnified portion of the image (col. 2, lines 2-3; col. 4, line 66 through col. 5, line 4).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chui et al. (6,407,747) in view of Lawton et al. (6,266,054).

**Claim 16**, Chui et al. teaches determining what portion of the window position is not covered by the new window (the new magnification window does not overlap the previous magnification window; col. 5, line 66 through col. 6, line 1); Chui et al. does not

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disclose dividing the uncovered portion into two rectangles; however, Lawton et al. teaches divide the selection rectangle (uncovered portion) into slices (rectangles), (see fig. 5; col. 6, lines 52-53). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate a dividing the selection rectangle into slices taught by Lawton's method into the computer screen image magnification system of Chui et al. for displaying an image, because it would remove the distortion from the area image defined by the selection rectangle is performed by row/column slicer (col. 6, lines 51-54). **Claims 17 and 18**, Lawton et al. also discloses removing outlying pixel values (neighboring pixels) from a region of the image to be magnified (distortion or unwanted region) and redistributing (replacing the image distortion in the delineated are with a correction image distortion; col. 2, lines 37-40) remaining pixel values of the region across an intensity range of the computer system (mean, variance, minimum, and maximum values well as the contrast magnitude at the end points; col. 7, lines 4-50); applying a median filter to the region of the image to be magnified (col. 1, lines 60-61).

8. Claims 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawton et al. (6,266,054) in view of Chui et al. (6,407,747).

**Claims 20-22**, Lawton et al. discloses storing the image in the memory; identifying a portion of the image in a window (identify/store attributes of the image portion selected; fig. 3 #62); Lawton does not teach magnifying the portion of the image; however, Chui et al. teaches magnifying the portion of the image (col. 2, lines 2-3; col. 4, line 66 through col. 5, line 4); and Lawton et al. teaches optimizing the contrast of the

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image by applying removing outlying pixel values (neighboring pixels) from a region of the image to be magnified (distortion or unwanted region) and redistributing (replacing the image distortion in the delineated are with a correction image distortion; col. 2, lines 37-40) remaining pixel values of the region across an intensity range of the computer system (mean, variance, minimum, and maximum values well as the contrast magnitude at the end points; col. 7, lines 4-50). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate magnifying a portion of the image taught by Chui's method into a removing the distortion of the digital image of Lawton's system for displaying an image, because magnifying the portion of the image, the magnification window would move smoothly from the first to the second window without creating any flashing artifact (col. 2, lines 31-32).

### ***Response to Arguments***

9. Applicant's arguments, see amendment , filed 01/09/04, with respect to the rejection(s) of claim(s) 14-18, 20-22 under Mumford in view of Orton and further in view of Branson and Rhodes et al. have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made under Chui et al. in view of Lawton et al.

The objection of Compact Disc Submission has been withdrawn.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Kimbinh Nguyen** whose telephone number is **(703) 305-9683**. The examiner can normally be reached **(Monday- Thursday from 7:00 AM to 4:30 PM and alternate Fridays from 7:00 AM to 3:30 PM)**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Zimmerman, can be reached at (703) 305-9798.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

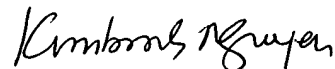
**Or faxed to:**

**(703) 872-9314 (for Technology Center 2600 only)**

Hand-delivered responses should be brought to Crystal Part II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

March 10, 2004



Kimbinh Nguyen

Patent Examiner AU 2671